

# FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION TV

MEH

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
NC	BPCT -920114KF N/M	NEW CHAN-35	CHARLES FITZGERALD JACKSONVILLE NC	CONSTRUCTION PERMIT FOR A NEW TELEVISION STATION TO SERVE JACKSONVILLE, NORTH CAROLINA; CHANNEL 35; ERP(VIS): 2,000.00KW; HAAT: 301 METERS; TL: STATE ROAD 1534 HOLLY RIDGE, NORTH CAROLINA 3.6 MILES EAST OF HOLLY RIDGE (ON SLOW COUNTY); ANT: SWR, INC./SWRSMP32EC/35(DA)(BT) 34-29-28/77-29-18 HOWARD J. BARR-ATTORNEY

LICENSE EXPIRATION DATE \_\_\_\_\_

\_\_\_\_\_  
CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT( ) CONSTRUCTION DATES, START \_\_\_\_\_ END \_\_\_\_\_

CONTESTED ( ) UNCONTESTED ( )

APPROVED \_\_\_\_\_

\_\_\_\_\_  
FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

6-160 March 2, 1992

Approved by OMB  
3060-0440  
Expires 2/28/93

FEDERAL COMMUNICATIONS COMMISSION  
**FEE PROCESSING FORM**

FOR  
FCC  
USE  
ONLY

01-15-92 8165756 001

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

**SECTION I**

APPLICANT NAME (Last, first, middle initial)

Charles Fitzgerald

MAILING ADDRESS (Line 1) (Maximum 35 characters - refer to Instruction (2) on reverse of form)

c/o Howard J. Barr - Pepper & Corazzini

MAILING ADDRESS (Line 2) (if required) (Maximum 35 characters)

1776 K Street, N.W., Suite 200

## INSTRUCTIONS FOR COMPLETING FEE PROCESSING FORM, FCC FORM 155, August 1991

- (1) **"Applicant Name"** - Enter the name (last, first, middle initial) of the applicant as it appears on the original application or filing being submitted with this Fee Processing Form. If company, enter name which is used commercially.
- (2) **"Mailing Address (Line 1)"** - Enter the street address or post office box number to which the applicant wishes correspondence sent.
- (3) **"Mailing Address (Line 2)"** - This line may be used for further identification of the address if additional space is required.
- (4) **"City"** - Enter the name of the city associated with the given street address.
- (5) **"State or Country"** - Enter the appropriate two-digit state abbreviation as prescribed by the U.S. Postal Service. If address is foreign, enter the appropriate country name here.
- (6) **"ZIP Code"** - Enter the appropriate five or nine-digit ZIP Code prescribed by the U.S. Postal Service.
- (7) **"Call Sign or Other FCC Identifier"** - Enter the applicable call or unique FCC identifier, if any, as shown on your attached application or filing. If applying for a service affecting more than one call sign, enter one call sign only.
- (8) **Column (A), "Fee Type Code"** - Enter correct Fee Type Code(s) from the appropriate Fee Filing Guide. Only one Fee Processing Form may be submitted per application or filing. Inaccurate or erroneous Fee Type Codes may result in your application or filing being returned to you without further processing.
- (9) **Column (B), "Fee Multiple"** - Certain applications and filings may request action with respect to more than one station, license, frequency, or party and can be submitted together with one check if they meet specific conditions. This column is used only if a multiple, i.e., two or more, is being applied for. Examples of when this would be used are renewing more than one call sign, frequency, station, or the transfer of control of more than one station. Refer to the appropriate Fee Filing Guide for additional information.
- (10) **Column (C), "Fee Due for Fee Type Code in Column (A)"** - Enter in this block the amount of the fee associated with the Fee Type Code shown in Column (A) (times (X) the fee multiple, if required).
- (11) **"Total Amount Remitted With This Application or Filing"** - Enter the total of lines (1) through (5) of Column (C). This amount should equal the amount of your check or money order. We will not accept multiple checks.

### HOW TO SUBMIT APPLICATIONS AND FILINGS

- o Each application or filing should be assembled with the Fee Processing Form, FCC Form 155, stapled to the top of the application with the check placed on top of the Fee Processing Form. **DO NOT STAPLE THE CHECK TO THE APPLICATION OR FEE PROCESSING FORM, FCC FORM 155.**

# PEPPER & CORAZZINI

VINCENT A. PEPPER  
ROBERT F. CORAZZINI  
PETER GUTMANN  
WILLIAM L. FRANKLIN

ATTORNEYS AT LAW  
200 MONTGOMERY BUILDING

ROBERT LEWIS THOMPSON  
E. THEODORE MALLYCK  
OF COUNSEL

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

For COMMISSION Fee Use Only

FEE NO:

FEE TYPE

FEE AMT:

ID SEQ:

For APPLICANT Fee Use Only

Is a fee submitted with this application?

☒ Yes ☐ No

If fee exempt (see 47 C.F.R. Section 1.1112), indicate reason therefor (check one box):

☐ Noncommercial educational licensee

☐ Governmental entity

FOR COMMISSION USE ONLY

FILE NO. BPC-920114 KF

Section I - GENERAL INFORMATION

1. Name of Applicant

Charles Fitzgerald

Street Address or P.O. Box

825 Gum Branch

City

Jacksonville

State

NC

ZIP Code

28540

Telephone No. (include Area Code)

(919) 346-1986

Send notices and communications to the following person at the address below:

Name Applicant with cc to:

Gregg P. Skall, Esq.

Pepper & Corazzini

Street Address or P.O. Box

1776 K Street, N.W., Suite 200

City

Washington

State

DC

ZIP Code

20006

Telephone No. (include Area Code)

(202) 296-0600

2. This application is for:

☐ AM

☐ FM

☒ TV

(a) Channel No. or Frequency

35

(b) Principal  
Community

City

Jacksonville

State

NC

(c) Check one of the following boxes:

☒ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MINOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MAJOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☐ MINOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

Charles Fitzgerald

1. Applicant is: (check one box below)

☒ Individual

☐ General partnership

☐ For-profit corporation

☐ Other

☐ Limited partnership

☐ Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No.  
N/A

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date \_\_\_\_\_ Place \_\_\_\_\_

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant including but not limited to insulated limited partnership shares, nonvoting

☐ Yes ☒ No

# Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interests.
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable interests in any broadcast station, including the nature and size of such interests.
8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 76.501, including the nature and size of such interests and the positions held.

1.	Charles Fitzgerald 931 Lynchburg Drive Jacksonville, NC 28546		
2.	USA		
3.	Individual Applicant		
4.	- - -		
5.	- - -		
6.	- - -		
7.	None		
8.	None		

Section 11 - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☐ Yes ☒ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☐ Yes ☒ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.  
N/A

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

8. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☐ Yes ☒ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.  
N/A

9. State in an Exhibit any interest the applicant or any party to this application proposes to

Exhibit No.



Section 11 - LEGAL QUALIFICATIONS (Page 4)

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

11. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See instruction C to Section 11.)

☐ Yes ☒ No

- (b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.  
N/A

12. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?

☐ Yes ☒ No

- (b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.  
1

# SECTION III - FINANCIAL QUALIFICATIONS

NOTE: If this application is for a change in an operating facility do not fill out this section.

1. The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue.

☒ Yes ☐ No

2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue.

\$ 853,765.00

3. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
Centura Bank P.O. Box 7225 Jacksonville, NC 28540 James L. Harper, Vice President and City Executive William Bass Commercial Loan Officer	(919) 455-2814	Principal Bank	\$400,000
Charles Fitzgerald 931 Lynchburg Drive Jacksonville, NC 38546	(919) 346-1986	Applicant	\$500,000

#### Section IV-A - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.

2

#### Section IV-B - INTEGRATION STATEMENT

Attach as an Exhibit the information required in 1. and 2. below.

Exhibit No.

3

1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed

**SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

1. Does the applicant propose to employ five or more full-time employees?

☒ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 898-A).

**SECTION VII - CERTIFICATIONS**

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3580?

☒ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.  
N/A

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted Ron Brown

Telephone No. (include area code) (919) 455-5300

Person contacted: (check one box below)

☒ Owner

☐ Owner's Agent

☐ Other (specify)

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

SECTION VII - CERTIFICATION (Page 5)

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant Charles Fitzgerald	Signature <i>Charles Fitzgerald</i>
Date 1/13/92	Title Individual Applicant

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT  
AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of

**BROADCAST EQUAL EMPLOYMENT OPPORTUNITY**

**MODEL PROGRAM REPORT**

**1. APPLICANT**

Name of Applicant  Charles Fitzgerald	Address 825 Gum Branch Jacksonville, NC 28540
Telephone Number (include area code)  (919) 346-1986	

2. This form is being submitted in conjunction with:

☒ Application for Construction Permit for New Station      ☐ Application for Assignment of License

☐ Application for Transfer of Control

(a) Call letters (or channel number of frequency) ..... Channel 35

(b) Community of License (city and state) ..... Jacksonville, NC

(c) Service:

☐ AM      ☐ FM      ☒ TV      ☐ Other (Specify) \_\_\_\_\_

**INSTRUCTIONS**

Applicants seeking authority to construct a new commercial, noncommercial or international broadcast station, applicants seeking authority to obtain assignment of the construction permit or license of such a station, and applicants seeking authority to acquire control of an entity holding such construction permit or license are required to afford equal employment opportunity to all qualified persons and to refrain from discrimination in employment and related benefits on the basis of race, color, religion, national origin or sex. See Section 73.2080 of the Commission's Rules. Pursuant to these requirements, an applicant who proposes to employ five or more full-time employees must establish a program designed to assure equal employment opportunity for women and minority groups (that is, Blacks not of Hispanic origin, Asians or Pacific Islanders, American Indians or Alaskan Natives and Hispanics). This is submitted to the Commission as the Model EEO Program. If minority group representation in the available labor force is less than five percent (in the aggregate), a program for minority group members is not required. In such cases, a statement so indicating must be set forth in the EEO model program. However, a program must be filed for women since they comprise a significant percentage of virtually all area labor forces. If an applicant proposes to employ fewer than five full-time employees, no EEO program for women or minorities need be filed.

**Guidelines for a Model EEO Program and a Model EEO Program are attached.**

**NOTE:** Check appropriate box, sign the certification below and return to FCC:

☐ Station will employ fewer than 5 full-time employees; therefore no written program is being submitted.

☒ Station will employ 5 or more full-time employees. Our Model EEO Program is attached. (You must complete all sections of this form.)

I certify that the statements made herein are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 13<sup>th</sup> day of Jan, 1992

Signed Charles Fitzgerald

Title Individual

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.**

## **GUIDELINES TO THE MODEL EEO PROGRAM**

The model EEO program adopted by the Commission for construction permit applicants, assignees and transferees contains five sections designed to assist the applicant in establishing an effective EEO program for its station. The specific elements which should be addressed are as follows:

### **I. GENERAL POLICY**

The first section of the program should contain a statement by the applicant that it will afford equal employment opportunity in all personnel actions without regard to race, color, religion, national origin or sex, and that it has adopted an EEO program which is designed to fully utilize the skills of qualified minorities and women in the relevant available labor force.

### **II. RESPONSIBILITY FOR IMPLEMENTATION**

This section calls for the name (if known) and title of the official who will be designated by the applicant to have responsibility for implementing the station's program.

### **III. POLICY DISSEMINATION**

The purpose of this section is to disclose the manner in which the station's EEO policy will be communicated to employees and prospective employees. The applicant's program should indicate whether it: (a) intends to utilize an employment application form which contains a notice informing job applicants that discrimination is prohibited and that persons who believe that they have been discriminated against may notify appropriate governmental agencies; (b) will post a notice which informs job applicants and employees that the applicant is an equal opportunity employer and that they may notify appropriate governmental authorities if they believe that they have been discriminated against; and (c) will seek the cooperation of labor unions, if represented at the station, in the implementation of its EEO program and in the inclusion of nondiscrimination provisions in union contracts. The applicant should also set forth any other methods it proposes to utilize in conveying its EEO policy (e.g., orientation materials, on-air announcements, station newsletter) to employees and prospective employees.

### **IV. RECRUITMENT**

The applicant should specify the recruitment sources and other techniques it proposes to use to attract qualified minority and female job applicants. Not all of the categories of recruitment sources need be utilized. The purpose of the listing is to assist the applicant in developing specialized referral sources to establish a pool of qualified minorities and women who can be contacted as job opportunities occur. Sources which subsequently prove to be nonproductive should not be relied on and new sources should be sought.

### **V. TRAINING**

Training programs are not mandatory. Each applicant is expected to decide, depending upon its own individual situation, whether a training program is feasible and would assist in its effort to increase the available pool of qualified minority and female applicants. Additionally, the applicant may set forth any other assistance it proposes to give to students, schools or colleges which is designed to be of benefit to minorities and women interested in entering the broadcasting field. The beneficiary of such assistance should be listed, as well as the form of assistance, such as contributions to scholarships, participation in work study programs, and the like.

## **MODEL EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

### **I. GENERAL POLICY**

It will be our policy to provide employment opportunity to all qualified individuals without regard to their race, color, religion, national origin or sex in all personnel actions including recruitment, evaluation, selection, promotion, compensation, training and termination.

It will also be our policy to promote the realization of equal employment opportunity through a positive, continuing program of specific practices designed to ensure the full realization of equal employment opportunity without regard to race, color, religion, national origin or sex.

To make this policy effective, and to ensure conformance with the Rules and Regulations of the Federal Communications Commission, we have adopted an Equal Employment Opportunity Program which includes the following elements:

### **II. RESPONSIBILITY FOR IMPLEMENTATION**

(Name/Title) Charles Fitzgerald/General Manager will be responsible for the administration and implementation of our Equal Employment Opportunity Program. It will also be the responsibility of all persons making employment decisions with respect to the recruitment, evaluation, selection, promotion, compensation, training and termination of employees to ensure that our policy and program is adhered to and that no person is discriminated against in employment because of race, color, religion, national origin or sex.

### **III. POLICY DISSEMINATION**

To assure that all members of the staff are cognizant of our equal employment opportunity policy and their individual responsibilities in carrying out this policy, the following communication efforts will be made:

- ☒ The station's employment application form will contain a notice informing prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited and that they may notify the appropriate local, State or Federal agency if they believe they have been the victims of discrimination.
- ☒ Appropriate notices will be posted informing applicants and employees that the station is an Equal Opportunity Employer and of their right to notify an appropriate local, State or Federal agency if they believe they have been the victims of discrimination.
- ☒ We will seek the cooperation of unions, if represented at the station, to help implement our EEO program and all union contracts will contain a nondiscrimination clause.
- ☐ Other (specify)

#### IV. RECRUITMENT

To ensure nondiscrimination in relation to minorities and women, and to foster their full consideration whenever job vacancies occur, we propose to utilize the following recruitment procedures:

- ☒ We will contact a variety of minority and women's organizations to encourage the referral of qualified minority and women applicants whenever job vacancies occur. Examples of organizations we intend to contact are:

Soroptmist (Womens Business Org.)  
ABWA of Onslow Co.  
NAACP of Onslow Co.  
Monford Point Marine Assoc.  
Community Action Organization

- ☒ In addition to the organizations noted above, which specialize in minority and women candidates, we will deal only with employment services, including State employment agencies, which refer job candidates without regard to their race, color, religion, national origin or sex. Examples of these employment referral services are:

Atlantic Personnel Services of Jacksonville  
Snelling and Snelling  
Employment Security Office, Jacksonville

- ☒ When we recruit prospective employees from educational institutions such recruitment efforts will include area schools and colleges with minority and women enrollments. Educational institutions to be contacted for recruitment purposes are:

Coastal Carolina Community College  
University of North Carolina, Wilmington  
Lenoir Community College

- ☒ When we place employment advertisements with media some of such advertisements will be placed in media which have significant circulation or viewership or are of particular interest to minorities and women. Examples of media to be utilized are:

Jacksonville Daily News Broadcasting  
Wilmington Journal

- ☒ We will encourage employees to refer qualified minority and women candidates for existing and future job openings.



## V. TRAINING

- ☒ Station resources and/or needs will be such that we will be unable or do not choose to institute programs for upgrading the skills of employees.
- ☒ We will provide on-the-job training to upgrade the skills of employees.
- ☒ We will provide assistance to students, schools, or colleges in programs designed to enable qualified minorities and women to compete in the broadcast employment market on an equitable basis:

School or Other Beneficiary	Proposed Form of Assistance
<u>Lenoir Community College</u>	<u>Yearly donation to Broadcast</u>
<u>Broadcast Department</u>	<u>Scholarship Fund of at least</u>
<u>James Kelso, Instructor</u>	<u>\$250</u>

☐ Other (specify)

### FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the application requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers, and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

**EXHIBIT 1**  
**FCC FORM 301**

Mr. Fitzgerald was formerly the majority owner of the non-wireline cellular telephone system for Jacksonville, North Carolina. A petition to deny the transfer of control of that system was filed with the Commission, in which it was alleged that two non-owner officers and directors were involved in and/or possessed convictions for drug related activity (matters of which Mr. Fitzgerald was unaware) which had not been reported to the FCC. The petition to deny the transfer was withdrawn by the proponent and the transfer of control application was granted by the Commission without an evidentiary hearing. This information is provided in the interest of full disclosure, since it does not appear to be required by the Commission's application form.

**EXHIBIT 2**  
**FCC FORM 301**

**PROGRAM SERVICE STATEMENT**

Response to IV-A

The applicant intends to work closely with the civic leaders of Jacksonville, as well as with citizens of the Jacksonville community, to determine the needs and interests of the community. The applicant will air programs designed to treat the needs and interests of the citizens of Jacksonville. The station will broadcast news of and about the service area. Various programs will be broadcast during the broadcast week that will focus on local issues and areas of concern.



2. (a) Mr. Fitzgerald does not claim credit for minority status.

(b) Mr. Fitzgerald is a current Jacksonville resident and claims credit for his past, present, and intended future local residence. He has resided in Jacksonville as follows: between October 1987 and March of 1989, Mr. Fitzgerald resided at 31 Onsville Court, Jacksonville, NC 28540. Mr. Fitzgerald has resided at his present address of 931 Lynchburg Drive, Jacksonville, NC since March of 1989.

(c) Mr. Fitzgerald does not claim credit for female status.

(d) Mr. Fitzgerald does not claim credit for broadcast experience.

(e) Mr. Fitzgerald does not claim the daytimer preference.

Mr. Fitzgerald has been active in the community and claims credit for these activities.

*Original*

# ***ENGINEERING REPORT***

SUPPORTING THE APPLICATION OF

**CHARLES FITZGERALD**

FOR A

**CONSTRUCTION PERMIT**

AT

**JACKSONVILLE, NC**

**UHF CH 35    2000 kW ERP    301m HAAT**

**Rubin, Bednarek & Associates, Inc.**  
*Consulting Telecommunications Engineers*  
**Washington, D.C.**

# Section V-C - TV BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. \_\_\_\_\_

ASB Referral Date \_\_\_\_\_

Referred by \_\_\_\_\_

Name of Applicant

Call letters (if issued)

CHARLES FITZGERALD

Purpose of Application (check appropriate box):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility            | <input type="checkbox"/> Construct a new auxiliary facility                         |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input type="checkbox"/> Modify licensed main facility                         | <input type="checkbox"/> Modify licensed auxiliary facility                         |

If purpose is to modify, indicate nature of change(s) by checking appropriate box(es), and specify the file number(s) of the authorization(s) affected:

- |   |  |
|---|--|
| <input type="checkbox"/> Antenna supporting-structure height  | <input type="checkbox"/> Effective radiated power  |
| <input type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency                 |
| <input type="checkbox"/> Antenna location                     | <input type="checkbox"/> Antenna system            |
| <input type="checkbox"/> Main Studio location                 | <input type="checkbox"/> Other (Summarize briefly) |

File Number(s) \_\_\_\_\_

1. Allocation:

Channel No.	Offset (check one)	Principal community to be served:	Zone (check one)						
	<input type="checkbox"/> Plus	<table border="1"> <tr> <th>City</th> <th>County</th> <th>State</th> </tr> <tr> <td>Jacksonville</td> <td>Onslow</td> <td>NC</td> </tr> </table>	City	County	State	Jacksonville	Onslow	NC	<input type="checkbox"/> I
City	County	State							
Jacksonville	Onslow	NC							
	<input type="checkbox"/> Minus		<input checked="" type="checkbox"/> II						
<u>35</u>	<input checked="" type="checkbox"/> Zero		<input type="checkbox"/> III						

2. Exact location of antenna: Holly Ridge - Sneads Ferry Road

(a) Specify address, town or other community and state to address mail; distance and bearing to the nearest landmark.

SECTION V-C - TV BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	0	'	"	Longitude	0	'	"
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5. Has the FAA been notified of the proposed construction?

☐ Yes ☒ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
DNA

Date \_\_\_\_\_ Office where filed \_\_\_\_\_

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) _____	D.N.A. Existing tower	_____
_____	_____	_____

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; \_\_\_\_\_ 9 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and \_\_\_\_\_ 309 meters

(3) of the top of supporting structure above mean sea level  $[(a \times 1) + (a \times 2)]$ . \_\_\_\_\_ 318 meters

(b) Height of antenna radiation center: (to the nearest meter)

(1) above ground; \_\_\_\_\_ 297 meters

(2) above mean sea level  $[(a \times 1) + (b \times 1)]$ ; and \_\_\_\_\_ 306 meters

(3) above average terrain. \_\_\_\_\_ 301 meters

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except Item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of TV radiator.

Exhibit No.  
ENG

9. Maximum visual effective radiated power 2000.00 kW



SECTION V-C - TV BROADCAST ENGINEERING DATA (Page 3)

10. Antenna:

(a) Manufacturer SWR, Inc. (b) Model No. SWRSMP32EC/35

(c) Is a directional antenna proposed?

☒ Yes ☐ No

If Yes, specify major lobe azimuth(s) N 320° E degrees True and attach as an Exhibit all data specified in 47 C.F.R. Section 73.685.

Exhibit No.  
ENG

(d) Is electrical beam tilt proposed?

☒ Yes ☐ No

If Yes, specify 0.6 degrees electrical beam tilt and attach as an Exhibit all data specified in 47 C.F.R. Section 73.685.

Exhibit No.  
ENG

(e) Is mechanical beam tilt proposed?

☐ Yes ☒ No

If Yes, specify \_\_\_\_\_ degrees mechanical beam tilt toward azimuth \_\_\_\_\_ degrees True and attach as an Exhibit all data specified in 47 C.F.R. Section 73.685.

Exhibit No.

(f) The proposed antenna is: (check only one box)

☒ horizontally polarized ☐ circularly polarized ☐ elliptically polarized

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.685(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit justification therefor, including amounts and percentages of population and area that will not receive City Grade service.

Exhibit No.

12. Will the main studio be located within the station's predicted principal community contour as defined by 47 C.F.R. Section 73.685(a)?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.

13. Does the proposed facility satisfy the requirement of 47 C.F.R. Section 73.610?

☒ Yes ☐ No

If No, attach as an Exhibit justification therefor, including a summary of any previously granted waiver(s).

Exhibit No.  
ENG

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters; or (b) in the general vicinity, any nonbroadcast (except citizens band or amateur) radio stations or any established commercial or government receiving stations?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of the expected, undesired effects of operations and remedial steps to be pursued, if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by intermodulation) to facilities in existence or authorized prior to grant of this application. (See 47 C.F.R. Sections 73.685(d) and (g).)

Exhibit No.  
ENG

15. Attach as an Exhibit a topographic map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the provisions of 47 C.F.R. Section 73.684(g). The map must further display clearly and legibly the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
ENG